



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## A G E N D A

NOVEMBER 6, 2006

*Commissioner Joe Ford, Chairman*  
*Commissioner David Lillard, Chairman Pro Tempore*  
*Commissioner Joyce Avery*  
*Commissioner Henri Brooks*  
*Commissioner Wyatt Bunker*  
*Commissioner Mike Carpenter*  
*Commissioner Sidney Chism*

*Commissioner George Flinn*  
*Commissioner J.W. Gibson II*  
*Commissioner James Harvey*  
*Commissioner Deidre Malone*  
*Commissioner Steve Mulroy*  
*Commissioner Mike Ritz*

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**2:30 P.M. COMMISSION CONVENES**

**CALL TO ORDER Deputy Sheriff Orlando Freeman**

**INVOCATION Father James J. Martell**  
**Holy Rosary Catholic Parish**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### Approval of Minutes of Previous Sessions

**MALONE**  
**ADOPTED** October 23, 2006

## C O N S E N T A G E N D A

### Resolutions of Memorial, Sympathy and Commendation

**MALONE**  
**ADOPTED** 1. Resolution honoring Catherine Battle, Principal of Snowden School, named '2007 Tennessee Principal of the Year' by the Tennessee Department of Education

### Ordinances

### Zoning and Subdivisions

**RITZ**  
**ADOPTED**  
**(A-D)** 2. Resolution approving various subdivision contracts, plats, extensions, etc. as recommended by the County Engineer.

**Reports and/or Resolutions of Standing Committees**

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|--|-----------|--|
| <b>MALONE<br/>(DEFERRED<br/>TO 12/04/06)</b> | <b>3.</b> | <b>Resolution approving the contract for banking services with Regions Bank for custody and deposit of county funds for the period of December 1, 2006 through June 30, 2010.</b>  |
| <b>LILLARD<br/>WITHDRAWN</b>                 | <b>4.</b> | <b>Resolution to amend the FY 2006/2007 Operating Budget of the Roads and Bridges Department to fund the DUI Litter Removal Program in an amount not to exceed \$205,200.00 and to amend the personnel complement.</b>   |
| <b>CHISM<br/>ADOPTED</b>                     | <b>5.</b> | <b>Resolution amending the General Fund Budget of the Public Defender for additional funding from the state for certain salary increases and authorizing salary increases.</b>   |
| <b>CHISM<br/>ADOPTED</b>                     | <b>6.</b> | <b>Resolution approving the contract between the Exchange Club Family Center and Shelby County Government in the amount of \$168,752.00 for the provision of Domestic Violence Safe Visitation/ Safe Exchange Services for the period November 1, 2006 through August 31, 2008.</b>  |
| <b>CHISM<br/>ADOPTED</b>                     | <b>7.</b> | <b>Resolution authorizing the Shelby County Division of Corrections to accept and expend grant funds for the "Project REACHH" Visitation Program in the amount of \$30,000.00 and amending the FY 2006/2007 Operating Budget of the Division of Corrections.</b>   |
| <b>CHISM<br/>ADOPTED</b>                     | <b>8.</b> | <b>Resolution authorizing the Shelby County Division of Corrections to accept and expend a grant from the U.S. Department of Health and Human Services, Office of Family Assistance, for funding of Project Reach "Promoting Responsible Fatherhood, Priority Area 5" program for marriage and family strengthening for fathers and their partners for male prisoners in the amount of \$415,998.00 and amending the FY 2006/2007 Operating Budget and Position Control Budget of the Division of Corrections.</b> |
| <b>CHISM<br/>ADOPTED</b>                     | <b>9.</b> | <b>Resolution authorizing the Shelby County Division of Corrections to accept and expend a grant from the U.S. Department of Health and Human Services, Office of Family Assistance, for funding of Project Reach "Promoting Responsible Fatherhood, Priority Area 2" program for the re-energizing, communication, health and family happiness of male prisoners in the amount of \$408,830.00 and amending the FY 2006/2007 Operating Budget and Position Control Budget of the Division of Corrections.</b>     |

CHISM  
ADOPTED

10. Resolution authorizing the Shelby County Division of Corrections to accept and expend grant funds from the U.S. Department of Education for the "Change is Possible" Life Skills for State and Local Prisoners Program in the amount of \$472,642.00, and amending the FY 2006/2007 Operating Budget and Position Control Budget of the Division of Corrections.

BROOKS  
ADOPTED

11. Resolution approving renewal of Pharmacy Benefit Manager Contract – Express Scripts, Inc. from July 1, 2006 through June 30, 2008.

BROOKS  
(DEFERRED  
TO 12/18/06)

12. Resolution adopting new rules and regulations and bylaws, including membership requirements, for the new Beer Board; and directing the Shelby County Board of Commissioners to proceed with the appointment of new members to the new Beer Board.

MALONE  
ADOPTED

#### CONSENT AGENDA

#### R E G U L A R   A G E N D A

#### Elections, Appointments, and Confirmations

BROOKS  
ADOPTED

13. Resolution electing a member of the Tennessee General Assembly to the office of State Senator for the Thirty-First Senate District of Tennessee.

BROOKS  
ADOPTED

14. Resolution electing a member of the Tennessee General Assembly to the office of State Senator for the Thirty-Third Senate District of Tennessee.

BROOKS  
ADOPTED

15. Resolution approving Dottie D. Jones as Director of Community Services of Shelby County, Tennessee.

BROOKS  
ADOPTED

16. Resolution approving the county mayor's nomination of Audrey Josie-Ellen Grossman for appointment to the Memphis and Shelby County *Film and Television Commission*.

BROOKS  
ADOPTED

17. Resolution approving the reappointment of Charles D. Harvey, Nadie J. Kinnard, John Lawson, Pearl Lurry, Joseph S. Simmons, and Arthur L. Snow and the appointment of Vance A. Miller and LaFrederick Self by the Director of Corrections to the Shelby County *Work Release Board*.

**BROOKS  
(DEFERRED  
TO 11/20/06)**

18. Resolution approving the County Mayor's nomination of William S. Howard, Sr. and Justin G. Mitchell for reappointment to the Shelby County *Conservation Board*.

**BROOKS  
ADOPTED**

19. Resolution approving the county mayor's nomination of Clarence Halmon and Earnest Gunn for appointment and the joint city-county appointment of Bill McGaughey to the Memphis and Shelby County *Sports Authority*.

**BROOKS  
ADOPTED**

20. Resolution approving the county mayor's nomination of Benjamin L. Daniel, Willie Gregory, Clarence Halmon, and R.C. Johnson for reappointment, and the joint city-county reappointment of Bill McGaughey to the Memphis and Shelby County *Sports Authority*.

**Ordinances**

**Zoning and Subdivisions**

**RITZ  
ADOPTED**

21. **CASE NO. P.D. 06-321 CC**  
**APPLICANT:** Mojo Indoor Soccer – Chris Talley

**LOCATION:** Southeast corner of Houston Levee Road and Walnut Grove Road

**REQUEST:** A planned development amendment to permit an indoor recreational facility

**Memphis and Shelby County Office of Planning and Development recommendation:**  
**APPROVAL WITH CONDITIONS**

**Memphis and Shelby County Land Use Control Board recommendation:**  
**APPROVAL WITH CONDITIONS**

(Notice of public hearing published in the Daily News on Friday, October 27, 2006.) No opposition

**RITZ  
ADOPTED**

22. **CASE NO. Z 06-118 CC**  
**APPLICANT:** Goodlett Farms Associates

**LOCATION:** Southwest corner of Goodlett Farms Parkway and Raleigh-LaGrange Road

**REQUEST:** Taking property out of the Multiple Dwelling (R-ML) Use District and including it in the Planned Commercial (C-P) Use District

**Memphis and Shelby County Office of Planning and Development recommendation:**  
**APPROVAL WITH CONDITIONS**

Memphis and Shelby County Land Use Control Board  
recommendation:  
**APPROVAL WITH CONDITIONS**

(Notice of public hearing published in the Daily News on  
Friday, October 27, 2006.)

**Reports and/or Resolutions for Standing Committees**

- |  |   |
|--|---|
| <b>AVERY<br/>(DEFERRED<br/>TO 12/04/06)</b>  | 23. Resolution requesting that the charter of the MED be amended to add the chairman of this Commission’s Hospitals and Health Committee as an ex-officio nonvoting member to the MED’s board.  |
| <b>CHISM<br/>(DEFERRED<br/>TO 11/20/06)</b>  | 24. Resolution adopting a policy for naming buildings, memorials, parks, sites, and facilities of Shelby County Government.   |
| <b>CHISM<br/>ADOPTED</b>                     | 25. Resolution approving the creation of a Second Division of the Juvenile Court of Shelby County, Tennessee, and directing the Shelby County Attorney to provide an opinion to the Board of Commissioners regarding the process of implementation. |
| <b>HARVEY<br/>(DEFERRED<br/>TO 11/20/06)</b> | 26. Resolution approving retainage of a law firm for the purpose of initiating litigation against PC Sports, M.A. Mortenson Company, and/or Ellerbe Becket.   |

**Announcements/Statements**

27. Notifications from county mayor of various appointments, reappointments to boards, commissions, and offices of Shelby County Government.
- a. Resolution approving the appointment of Dorothy Grant Johnson, Susan L. Ratner, Katy Spurlock, Bennie Walker, Jose Leon and Dr. Brenda Taylor as community representatives to the *Head Start Policy Council*.
  - b. Resolution approving the county mayor's nomination of Ralph Richardson, Juan R. Self, Kenneth L. Shappley, Jack R. Tickle, and James Toles for reappointment and Carter Hord for appointment to the Memphis and Shelby County *Building Code Board*.
  - c. Resolution approving the county mayor's nomination of A.B. Haines, Jr., Chet A. Kibble, Sr., Claud O. McCrory III, and James V. Weatherington for reappointment to the Memphis and Shelby County *Electrical Code Board*.
  - d. Resolution approving the county mayor's nomination of William A. Hartsfield, William J.

Jason, and John Saucier for reappointment and  
Whit Greenway for appointment to the Memphis  
and Shelby County *Mechanical/Gas Code Board*.

**Adjournment**

**BUNKER**

28. Resolution of Adjournment to Monday, November 20, 2006,  
at 2:30 p.m.

**AGENDA # 2**  
**DATE: NOVEMBER 6, 2006**

**2A**

SUBDIVISION: OLIVER GROVE P.D. (P.D. 05-375 CC)

DEVELOPER: LAKELAND LOTS G.P.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO OLIVER GROVE P.D. (P.D. 05-375 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF OLD BROWNSVILLE ROAD; ±206 FEET EAST OF BRUNSWICK ROAD

**2B**

SUBDIVISION: TRUSTMARK NATIONAL BANK C-P (Z 06-108 CC)

DEVELOPER: TRUSTMARK BANK

ACTION: RESOLUTION TO APPROVE THE PLAT FOR TRUSTMARK NATIONAL BANK C-P (Z 06-108 CC) AND AUTHORIZE THE RECORDING OF THE PLAT

LOCATION: NORTHWEST CORNER OF HOUSTON LEVEE, MACON ROAD INTERSECTION

**2C**

SUBDIVISION: WOODLAND HILLS II P.D., PHASE 1 (P.D. 04-343 CC)

DEVELOPER: COASTAL FUELS, INC.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WOODLAND HILLS II P.D., PHASE 1(P.D. 04-343 CC)

LOCATION: NORTHSIDE OF WALNUT GROVE ROAD; ±2,540 FEET WEST OF HOUSTON LEVEE ROAD

**2D**

SUBDIVISION: WOODLAND HILLS II P.D., PHASE 2 (P.D. 04-343 CC)

DEVELOPER: COASTAL FUELS, INC.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WOODLAND HILLS II P.D., PHASE 2 (P.D. 04-343 CC)

LOCATION: NORTHSIDE OF WALNUT GROVE ROAD; ±2,540 FEET WEST OF HOUSTON LEVEE ROAD

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]